

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DATATREASURY CORPORATION,

v.

FISERV, INC. et al.

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Case No. 2:13-CV-431-JRG-RSP
LEAD CASE

ORDER

Before the Court is Plaintiff DataTreasury Corporation's Emergency Motion for Leave to file supplemental briefing in light of the Federal Circuit's recent decision in *VirtualAgility v. Salesforce.com* (Dkt. No. 495, filed July 16, 2014.) As the *VirtualAgility* decision appears to be the first appellate ruling addressing the statute the Parties dispute, the Court finds the limited and expedited supplemental briefing proposed by DataTreasury to be well taken.

The Court therefore GRANTS DataTreasury's Motion. The Parties are hereby ORDERED to file supplemental briefing addressing the Federal Circuit's recent *VirtualAgility* ruling as follows: Plaintiff shall file an opening brief not to exceed fifteen pages by the end of the day Tuesday, July 22, 2014, and Defendants' may file a responsive brief—not to exceed fifteen pages—by the end of the day Monday, July 28, 2014.

SIGNED this 16th day of July, 2014.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE